

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CORAMAE DOWLING,

Plaintiff,

v.

5:14-CV-0786
(GTS/ESH)

COMM'R OF SOC. SEC.,

Defendant.

APPEARANCES:

OLINSKY LAW GROUP
Counsel for Plaintiff
300 S. State St., Ste. 420
Syracuse, NY 13202

OF COUNSEL:

HOWARD D. OLINSKY, ESQ.

SOCIAL SECURITY ADMINISTRATION
OFFICE OF REG'L GEN. COUNSEL-REGION II
Counsel for Defendant
26 Federal Plaza - Room 3904
New York, New York 10278

ANDREA LECHLEITNER, ESQ.

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

Currently before the Court, in this action filed by Coramae Dowling ("Plaintiff") against the Commissioner of Social Security ("Defendant" or "Commissioner") pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3) seeking disability benefits, is the Report and Recommendation of United States Magistrate Judge Earl S. Hines, issued pursuant to 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 72.3(c) of the Local Rules of Practice for this Court, recommending that the Commissioner's decision be affirmed and

Plaintiff's request to remand the ALJ's unfavorable decision be denied. (Dkt. No. 19.) No objections were filed in this case.

A district court reviewing a magistrate judge's Report and Recommendation "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Parties may raise objections to the magistrate judge's Report and Recommendation, but they must be "specific written" objections, and must be submitted "[w]ithin 14 days after being served with a copy of the recommendations disposition." Fed.R.Civ.P. 72(b)(2); *see also* 28 U.S.C. § 636(b)(1)(C). "Where, however, an objecting party makes only conclusory or general objections, or simply reiterates his original arguments, the Court reviews the Report and Recommendation only for clear error." *Caldwell v. Crosset*, 2010 WL 2346330 at * 1 (N.D.N.Y. 2010) (internal quotations omitted) (*citing Farid v. Bouey*, 554 F.Supp.2d 301, 307 [N.D.N.Y. 2008]).

After carefully reviewing the relevant filings in this action the Court can find no clear error in the Report and Recommendation: Magistrate Judge Hines employed the proper standards, accurately recited the facts, and reasonably applied the law to those facts. (Dkt. No. 19.)

ACCORDINGLY, it is

ORDERED that Magistrate Judge Hines' Report and Recommendation (Dkt. No. 19) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

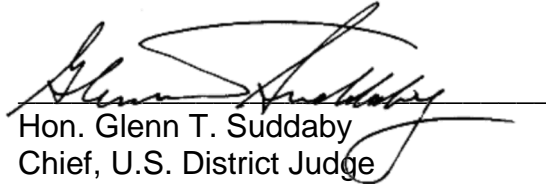
ORDERED the Commissioner's motion for judgment on the pleadings (Dkt. No. 16) is **GRANTED**; and it is further

ORDERED that Plaintiff's motion for judgment on the pleadings (Dkt. No. 15) is **DENIED**; and it is further

ORDERED that the Commissioner's decision is **AFFIRMED**; and it is further

ORDERED that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED**.

Dated: September 15, 2015
Syracuse, NY


Hon. Glenn T. Suddaby
Chief, U.S. District Judge